

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICHELLE MILLER,

Plaintiff,

vs.

CIVIL NO. 08-673 BB/LFG

OFFICE OF SERVICEMEMBERS'
GROUP LIFE INSURANCE and
PATRICK MILLER,

Defendants.

ORDER DENYING MOTION FOR ADDITIONAL TIME

THIS MATTER is before the Court on Plaintiff Michelle Miller's ("Miller") Motion for Additional Time to Obtain Affidavits and Take Depositions Pursuant to Rule 56(f). As the motion is untimely, no response is necessary. The Court's case management plan closed discovery on June 22, 2009. All discovery motions were to be filed no later than July 13, 2009 [Doc. 25]. Miller's motion was filed on August 11, 2009. Prior to filing the motion, Miller neither sought nor obtained leave of the Court to file an out-of-time motion.

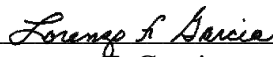
Case management plans are established to ensure that cases move expeditiously, efficiently and economically on a court's docket. Indeed, pursuant to obligations imposed on courts by the Civil Justice Reform Act, 28 U.S.C. § 471 *et seq.*, as well as this district's own Civil Justice Expense and Delay Reduction Plan, a case management plan was established to ensure that this case could be brought to a conclusion within the target date contemplated by the Plan.

Allowing out-of-time motions thwarts the Court's ability to manage its own docket and needlessly delays the ultimate disposition of cases and will add to the costs of litigation. In Hartsel Springs Ranch of Colo., Inc. v. Bluegreen Corp., 296 F.3d 982, 985 (10th Cir. 2002), the court noted,

“It is well established that federal district courts possess the power to administer their dockets in a manner that conserves scarce judicial resources and promotes the efficient and comprehensive disposition of cases” (internal punctuation omitted), *quoting* Curtis v. Demaio, 46 F. Supp. 2d 206, 215 (E.D. NY. 1999), *aff’d*, 205 F.3d 1322, 2000 WL 232060 (2d Cir. 2000).

The Court concludes that Miller’s motion is untimely, as it was filed nearly one month after the deadline for filing discovery motions.

IT IS ORDERED that Miller’s motion is DENIED.



Lorenzo F. Garcia
Chief United States Magistrate Judge